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GENERAL ASSEMBLY
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THE SITUATION IN THE MIDDLE EAST
IRAQI AGGRESSION AND THE CONTINUED OCCUPATION OF KUWAIT IN FLAGRANT VIOLATION OF THE CHARTER OF THE UNITED NATIONS

SECURITY COUNCIL
Forty-sixth year

Letter dated 23 January 1991 from the Permanent Representative of Luxembourg to the United Nations addressed to the Secretary-General

I have the honour to enclose the text, in French and English, of the statement on the situation of the prisoners of war detained by Iraq, issued by the European Community and its 12 member States on 22 January 1991 (see annex).

I should be grateful if you would have the text of this letter and its annex circulated as a document of the General Assembly, under agenda items 35 and 153, and of the Security Council.

(Signed) Jean FEYDER
Ambassador
Permanent Representative

ANNEX

Statement on the situation of prisoners of war

The European Community and its member States express their deep concern at the unscrupulous use of prisoners of war and at the intention announced by Iraq to concentrate them near military bases and targets. They consider these actions particularly odious because they are contrary to elementary respect for international law and humanitarian principles. They condemn such actions unreservedly.

They request the Iraqi authorities rigorously to respect all the Geneva Conventions relating to the conduct of war and in particular the Convention of 12 August 1949 on the treatment of prisoners of war. This stipulates in particular in article 13 that "prisoners of war must at all times be protected, particularly against acts of violence or intimidation and against insults and public curiosity", and in article 23 that "No prisoner of war may at any time be sent to, or detained in areas where he may be exposed to the fire of the combat zone, nor may his presence be used to render certain points or areas immune from military operations".

In conformity with article 125 of this same Convention, the special position of the International Committee of the Red Cross in this field should be recognized and respected. The Community and its member States pay tribute to the work of the Red Cross and support all steps aimed at strengthening its role.

The Community and its member States hold the Iraqi authorities responsible in accordance with international law, including in their individual capacities, for all illegal acts endangering the physical integrity and the life of prisoners of war, which clearly constitute a war crime.